

REMARKS

The Amendments to Claims section provided herein supercedes the Amendments to Claims section of the Amendment filed on August 4, 2008 in order to place the Amendment into conformance with 37 CFR 1.121. The Remarks of the last amendment remain applicable.

The Notice of Non-Compliant Amendment indicates that the Marked Specification does not show all changes in the proposed Substitute Specification. For purposes of this response it is presumed that the prior marked specification and substitute specification are not enter. Applicant submits herewith a Second Marked Specification and a Second Substitute Specification in an attempt to address the Examiner's alleged informalities in the prior amendment.

Applicant have review the Marked Specification and Substitute Specification and do not understand the basis for most of the comments in the Notice of Non-Compliant Amendment. With regard to page 5, line 10, and page 22, lines 15 and 18 of the Marked Specification, a review has been made against the original specification and the Substitute Specification and no informality was found. If further objection is directed to these portions, it is requested that the Examiner clarify the basis for the objections.

With regard to the Abstract, it was found that text was improperly marked as both deleted and added. This is now remedied in the Second Marked Specification and a Second Substitute Specification.

With regard to page 1, line5, it is believed the Examiner is referring to the words BACKGROUND ART being shown in upper case in the Marked Specification and capitalized text in the Substitute Specification. This is now remedied.

With regard to the claims, the notice indicates that it is not clear if words are deleted or spaces added to line 1 of claims 1, 3 and 5. It is submitted as readily apparent that the word processing programmed added or kerned spacing to make the claims full justified. While not believed sufficient to generate confusion, Applicants nonetheless submit herewith a revised claim listing.

REQUEST FOR EXTENSION OF TIME

Applicants respectfully request a one month extension of time for responding to the Office Action. **The fee of \$130 for the extension is provided for in the charge authorization presented in the PTO Form 2038, Credit Card Payment form, provided herewith.**

If there is any discrepancy between the fee(s) due and the fee payment authorized in the Credit Card Payment Form PTO-2038 or the Form PTO-2038 is missing or fee payment via the Form PTO-2038 cannot be processed, the USPTO is hereby authorized to charge any fee(s) or fee(s) deficiency or credit any excess payment to Deposit Account No. 10-1250.

No fees are believed due. If there are any the fee(s) due the USPTO is hereby authorized to charge any fee(s) or fee(s) deficiency or credit any excess payment to Deposit Account No. 10-1250.

In light of the foregoing, the application is now believed to be in proper form for allowance of all claims and notice to that effect is earnestly solicited.

Respectfully submitted,

JORDAN AND HAMBURG LLP

By *F. J. Jordan* by *H. F. Ruschmann*
Frank J. Jordan
Reg. No. 20,456
Attorney for Applicants

and,

By *H. F. Ruschmann*
Herbert F. Ruschmann
Reg. No. 35,341
Attorney for Applicants

Jordan and Hamburg LLP
122 East 42nd Street
New York, New York 10168
(212) 986-2340